

**Department of  
Veterans Affairs**

**Memorandum**

**Date:** 08/05/2016

**From:** Director, VHA FOIA Office

**Subj:** Release of FOIA Information

**To:** Network Directors (VISN 1-23)

1. On November 5, 2013, and subsequently on May 20, 2014, the Veterans Health Administration (VHA) Freedom of Information Act (FOIA) Office issued guidance on release of FOIA information. This memorandum supersedes the November 5, 2013 and the May 20, 2014 guidance.
2. As memorandum reminder, all VHA program and field office component FOIA Officers must notify the VHA FOIA Office upon receipt of Substantial Interest FOIA Requests.
3. The definition of a Substantial Interest FOIA Request is a request for information in which there has been or is likely to generate substantial public interest. This would include but is not limited to the following types of requests, regardless of the requester: (1) those related to a threat to the public health; (2) high profile local or national incidents or situations involving VA beneficiaries, employees or officials; and (3) incidents involving an alleged breach of the public trust (ex. waste, fraud or abuse).
4. Upon receipt of a FOIA request, the VHA program or field office component FOIA Officer will review and make a determination if the request meets the definition of a Substantial Interest FOIA Request. If the request meets the definition, the FOIA Officer must notify the VHA FOIA Office of the request following the designated procedures in Attachment A. This notification must be sent on the same business day as receipt of the FOIA request. Under no circumstance will a VHA program or field office component FOIA Officer release records responsive to a Substantial Interest FOIA Request without following the procedure set forth in Attachment A.
5. Effective immediately and until further notice, all VHA program and field office component FOIA Officers are also required to notify the VHA FOIA Office of any FOIA request submitted by a member of the news media or a member of Congress regardless of whether it meets the definition of Substantial Interest FOIA Request. The notification email must follow the format outlined in paragraph 4 of Attachment A. The notification must be submitted the same business day as receipt of the FOIA request. The VHA

FOIA Office will provide further direction to the FOIA Officer upon review of the request.

6. Under no circumstances should a VHA facility or program office deviate from the requirements outlined in this memorandum.

7. For additional information or any questions, please contact Timothy Graham, Director, VHA FOIA Office, at 215-823-4146 or via email at [Timothy.Graham @va.gov](mailto:Timothy.Graham@va.gov).

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Timothy H. Graham